

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.  
**DC4969**

In Re Application Of: **Bartley D. Maxon and Michael S. Starch**

OCT 15 2002

Serial No.

10/024,983

Filing Date

December 19, 2001

Examiner

San Ming R. Hui

Group Art Unit

1617

Invention: **STABILIZATION OF VITAMINS IN WATER-IN-SILICONE O/W EMULSIONS**

**RECEIVED**

OCT 18 2002

**TECH CENTER 1600/2900**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of October 1, 2002 in the above-identified application.

Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated October 1, 2002 finally rejecting Claim(s) 7-12.

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month     Two months     Three months     Four months     Five months

from:

Date

until:

Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$320.00

Fee for Extension of Time: \$0.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$320.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

- A check in the amount of \_\_\_\_\_ for the Notice of Appeal and extension of time is enclosed.
- Please charge Deposit Account No. **04-1520** in the amount of **\$320.00**  
A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No.  
A duplicate copy of this sheet is enclosed.
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.  
A duplicate copy of this sheet is enclosed.

10/17/2002 AWDNDAF1 00000009 041520 10024983

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COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)

Docket No.  
DC4969

In Re Application Of: Bartley D. Maxon and Michael S. Starch

OCT 15 2002

Serial No.	Filing Date	Examiner	Group Art Unit
10/24/01 14,983	December 19, 2001	San Ming R. Hui	1617

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated: 10 - 09 - 2002

Jim DeCesare  
(989) 496-4235



00137

PATENT TRADEMARK OFFICE

Certificate of Transmission by Facsimile\*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No.

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Signature

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I certify that this document and fee is being deposited on OCT. 10, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Signature of Person Mailing Correspondence

Shelly K. Marshall

Typed or Printed Name of Person Mailing Correspondence

CC:

OCT 15 2002 TRANSMITTAL OF APPEAL BRIEF (Large Entity)

Docket No.  
DC4969

In Re Application Of: Bartley D. Maxon and Michael S. Starch

Serial No.  
10/024,983

Filing Date  
December 19, 2001

Examiner  
San Ming R. Hui

Group Art Unit  
1617

Invention: STABILIZATION OF VITAMINS IN WATER-IN-SILICONE OIL (W/O) EMULSIONS

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OCT 18 2002

TECH CENTER 1600/2900

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith in triplicate is the Appeal Brief in this application, with respect to the Notice of Appeal filed on

The fee for filing this Appeal Brief is: \$320.00

- A check in the amount of the fee is enclosed.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-1520  
A duplicate copy of this sheet is enclosed.



Signature

Jim DeCesare  
(989) 496-4235



00137

PATENT TRADEMARK OFFICE

cc:

Dated:

10 - 09 - 2002

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Shelly K. Marshall  
Signature of Person Mailing Correspondence

Shelly K. Marshall

Typed or Printed Name of Person Mailing Correspondence

*AF/1600*

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): **Barclay D. Marion and Michael S. Starch**

Docket No.

**DC4969**

Serial No.  
10/024,983

*OCT 15 2002*

Filing Date  
December 19, 2001

Examiner  
San Ming R. Hui

Group Art Unit  
1617

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**RECEIVED**

**OCT 18 2002**

**TECH CENTER 1600/2900**

I hereby certify that this **Trans. of appeal brief, combined notice of appeal, appeal brief,**  
*(Identify type of correspondence)*

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The  
Assistant Commissioner for Patents, Washington, D.C. 20231 on October 10, 2002  
*(Date)*

**Shelly K. Marshall**

*(Typed or Printed Name of Person Mailing Correspondence)*

Shelly K. Marshall  
*(Signature of Person Mailing Correspondence)*

**Note: Each paper must have its own certificate of mailing.**